

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**MATHEW TAMEZ**

**V.**

**LUIS E. GARCIA HERNANDEZ,  
Individually and d/b/a GARDEZ  
BROTHERS TRUCKING AND  
GABRIEL LOPEZ COLIN**

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**CIVIL ACTION NO. 7:15-CV-00131**

**DEFENDANTS' NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS:

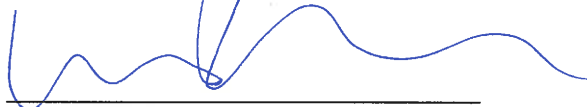
Pursuant to 28 U.S.C. §§ 1332 and 1441(a), Defendants, **LUIS E. GARCIA HERNANDEZ, Individually and d/b/a GARDEZ BROTHERS TRUCKING, and GABRIEL LOPEZ COLIN**, hereby remove this action to the United States District Court for the Southern District of Texas from the 370th Judicial District Court of Hidalgo County, Texas, stating as follows:

1. Plaintiff, Mathew Tamez, commenced this action in the 370th Judicial District Court of Hidalgo County, Texas, where it was given Cause No. C-6423-14G. This action is between citizens of different states. Plaintiff is a resident of Texas. Defendant Luis E. Garcia Hernandez is a resident California. Gardez Brothers Trucking is doing business in California and Defendant Gabriel Lopez Colin is a resident of California. Further, Plaintiff claims damages for serious personal injury and is seeking damages of \$200,000 but not more than \$1,000,000. Accordingly, this Court has original jurisdiction under 28 U.S.C. § 1332.

2. Defendant, Gabriel Lopez Colin received the summons and complaint on March 2, 2015, so this removal is timely under 28 U.S.C. § 1446(b).
3. A copy of all process, pleadings, and orders served upon Defendants are attached as Exhibit A.
4. Defendants have provided written notice of this Notice of Removal to all adverse parties and have filed a copy with the Clerk of the 370<sup>th</sup> Judicial District Court of Hidalgo County, Texas.
5. Defendant Luis E. Garcia Hernandez, Individually and d/b/a Gardez Brothers Trucking consents to the removal.

Dated: April 1, 2015

Respectfully submitted,



LARRY D. WARREN  
State Bar No. 20888450  
WHITNEY S. BROADWATER  
State Bar No. 24082733  
**ATTORNEYS FOR DEFENDANTS**

OF COUNSEL:

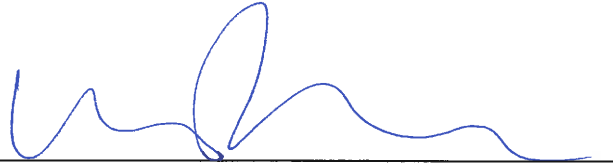
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 1 day of April 2015, the foregoing was filed with the Clerk of Court using the CM/ECF system, and was served on counsel:

**Via E-Filing Notification System and facsimile (713) 683-1588**

Herbert A. Janzen  
Law Offices of Herbert A. Janzen  
2000 Smith Street  
Houston, Texas 77002



WHITNEY S. BROADWATER